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# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
B-29Total Pages in this Submission  
sheets 156**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Methods and compositions for immunotherapy of B cell involvement in promotion of a disease condition comprising multiple sclerosis

and invented by:

Emilio Barbera-Guillem  
M. Bud NelsonIf a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 36 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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sheets 156

## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☒ Formal      b. ☐ Informal      Number of Sheets 1 (one)
4. ☒ Oath or Declaration
- a. ☒ Newly executed (original or copy)      ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☒ Assignment Papers (cover sheet & documents)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement/PTO-1449      ☒ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class      ☒ Express Mail (Specify Label No.): EL497108525US

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

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156

## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1 (one)
17. ☐ Additional Enclosures (please identify below):

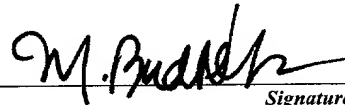
## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	17	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	4	- 3 =	1	x \$39.00	\$39.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$345.00
OTHER FEE (specify purpose) <u>assignment recordal fee : \$40</u>					\$40.00
TOTAL FILING FEE					\$424.00

- ☒ A check in the amount of **\$424.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **500438** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 22 August 2000

  
Signature

M. Bud Nelson  
Reg. No. 35,300

cc:

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.  
**B-29**

Serial No.

Filing Date

Patent No.

Issue Date

**22 August 2000**

Applicant/ **Emilio Barbera-Guillem and M. Bud Nelson**  
Patentee:

Invention: **Methods and compositions for immunotherapy of B cell involvement in promotion of a disease condition comprising multiple sclerosis**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **BioCrystal Ltd.**ADDRESS OF CONCERN: **575 McCorkle Boulevard, Westerville, Ohio, 43082-8888**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☒ the specification filed herewith with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

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Nonprofit Organization

FULL NAME

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Individual

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Small Business Concern

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Nonprofit Organization

FULL NAME

ADDRESS

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Individual

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Small Business Concern

☐

Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

John M. Swartz, Ph.D.

TITLE OF PERSON SIGNING

OTHER THAN OWNER:

CEO

ADDRESS OF PERSON SIGNING:

BioCrystal Ltd.575 McCorkle BoulevardWesterville, Ohio, 43082-8888

SIGNATURE:



DATE:

21 August 2000

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Docket No.

B-29

Applicant(s):

Serial No.

Filing Date  
22 August 2000

Examiner

Group Art Unit

Invention: **Methods and compositions for immunotherapy of B cell involvement in promotion of a disease condition comprising multiple sclerosis**

I hereby certify that the following correspondence:

patent application

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

22 August 2000

(Date)

M. Bud Nelson

(Typed or Printed Name of Person Mailing Correspondence)

M. Bud Nelson

(Signature of Person Mailing Correspondence)

EL497108525US

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jc873 U.S. PTO  
09/643595  
06/22/00

## METHODS AND COMPOSITIONS FOR IMMUNOTHERAPY OF B CELL INVOLVEMENT IN PROMOTION OF A DISEASE CONDITION COMPRISING MULTIPLE SCLEROSIS

This application is a nonprovisional application based on earlier co-pending applications Serial Nos. 60/150256 & 60/152498, the disclosures of which are herein incorporated by reference.

### FIELD OF THE INVENTION

The present invention is related to novel methods for immunotherapy of an immune response that contributes to the pathological processes of a disease condition comprising multiple sclerosis in humans. More particularly, the present invention is related to the methods for treating B cells which may be involved in promotion of a chronic inflammatory process involving central nervous system tissue.

### BACKGROUND OF THE INVENTION

Multiple sclerosis ("MS") is a chronic inflammatory disease of the central nervous system. The characteristic pathological feature, and still used as the primary basis for diagnosis of MS, is demyelination of the myelin sheath of neurons in the central nervous system. MS affects 250,000 to 350,000 in the United States, and approximately 1 million people worldwide. Typically, MS begins as a relapsing-remitting disease (RRMS) with periodic episodes of associated symptoms (e.g. various forms of neuritis). Often RRMS eventually changes to a progressive course of disease, secondary progressive MS (SPMS), characterized by more CNS tissue damage which results in more debilitating

symptoms. However, in 10 to 20% of individuals, the disease initially develops in a progressive form known as primary progressive MS (PPMS).

There is no clear understanding of the immunopathogenic processes associated with MS; and, to date, there lacks evidence of a unique immunologic abnormality in individuals with MS (Whitaker, 1998, *N. Engl. J. Med.* 339:339-340; Rudick et al., 1997, *N. Engl. J. Med.* 337:1604-1611). Because of the incomplete understanding of the pathogenesis of MS, therapeutic advances have been slow to emerge. The myelin sheath and oligodendrocytes are believed to be main targets of autoreactive T cells which, when activated and reach the central nervous system, are thought to secrete proinflammatory cytokines. These cytokines are believed to induce astrocytes and leukocytes (including by activating microglia and macrophages) to secrete enzymes which damage myelin, and result in inflammation, demyelination, and axonal damage in the central nervous system characteristic in MS.

Thus, studies have implicated a cell mediated immune response, T cells recognizing epitopes of myelin basic protein (MBP), in the pathogenesis of MS. However, whether the principal effector cells are T cells, or macrophages, or both T cells and macrophages, is unknown. As shown in Table 1, currently therapies against MS are either directed to T cells, or are directed to suppressing the inflammation (e.g., by suppressing macrophages or microglial cells) that accompanies demyelination.



Table 1

Drug	Action
Betaseron	reduces T cells & gamma interferon
beta 1-Alpha	reduces # of circulating T cells
Cladribine	reduces # of circulating T cells
Copolymer 1	acts as a decoy for T cells
Methotrexate	reduces # of circulating T cells
Myloral	desensitizes T cells to myelin
beta interferon	suppresses microglial cells
methylprednisolone	suppresses macrophages
chlorambucil	suppresses inflammation
cyclophosphamide	suppresses inflammation

Whether the humoral immune response is involved in the chronic inflammatory process underlying the pathology of MS is unproven. For example, anti-ganglioside antibodies have been reported to be elevated in MS patients (Acarin et al, 1996, *Acta Neurol. Scand.*, 93:99-103; Sadatipour et al., 1998, *Ann. Neurol.*, 44:980-983). However, it is unknown whether such antibodies are involved in axonal damage or are a consequence of axonal damage. Known pathology involving B cells is limited to such diseases as B cell lymphoma. There are numerous approaches and successes in treating B cell lymphoma (cancer cells of B cell origin). Such treatments include administration of immunologically active anti-CD20 antibodies to B cell lymphoma patients (see, e.g., U.S. Patent No. 5,776,456); administration of an immunoconjugate comprising mAb Lym-1 coupled to ricin toxin A chain (see, e.g., U.S. Patent No. 4,724,213); administration of an immunoconjugate comprising mAb LL2 (anti-CD22) coupled to chemotherapeutic agent (see, e.g., U.S. Patent No. 5,789,554); and administration of an mAb alone, or an immunoconjugate comprising anti-CD19 mAb coupled

to a chemotherapeutic agent (see, e.g., Hekman et al., 1991, *Cancer Immunol. Immunother.* 32:364-372; *Cancer Research Weekly*, 06/20/1994, p.21; *Cancer Research Weekly*, 04/15/1991, p.26).

We have discovered that certain soluble antigens, shed from central nervous system (CNS) tissue damaged by an inflammatory process, are capable of inducing an immune response which promotes one or more of the development, relapse, or progression of MS ("promotion of MS"). We have demonstrated that a similar phenomenon promotes a chronic inflammatory process which enables progression of solid, nonlymphoid tumors (see, e.g., Barbera-Guillem et al., 2000, *Cancer Immunol, Immunother.* 48:541.).

Therefore, a need exists for methods which may be used to therapeutically treat a disease condition selected from the group consisting of MS and a pro-MS immune response, and a a pro-MS immune response, by treating B cells in an individual; particularly in an individual who has the disease condition. Further, there is a need to begin disease-modifying therapy early, before the development of irreversible tissue damage and resultant permanent disability.

#### **SUMMARY OF THE INVENTION**

Accordingly, it is a primary object of the present invention to provide methods for treating B cells to inhibit their involvement in the promotion of MS.

It is another object of the present invention to provide methods for reducing a pro-MS immune response, wherein the treatment is directed to an individual's immune cells,

wherein the immune cells are B lymphocytes, a subpopulation of which may be involved in the promotion of MS.

It is a further object of the present invention to provide methods for treating an individual with a composition for depleting B cells, including to a subpopulation of B cells which are activated by shed antigen released from CNS tissue damaged by an inflammatory process, which B cells may also be found circulating in body fluids selected from the group consisting of peripheral blood, cerebrospinal fluid, and a combination thereof (as disclosed in co-pending U.S. Serial No. 60/150256), wherein the depletion of B cells reduces inflammation which causes clinical manifestations associated with progressive MS.

It is also a further object of the present invention to provide methods for reducing a pro-MS immune response as an adjuvant regime in an individual who is apparent remission of MS, but whom still has the altered B cell subpopulations comprising a pro-MS immune response, and whom is therefore at risk for a relapse of MS.

The foregoing objects are based on a discovery of a novel mechanism in which shed antigen, particularly produced and shed by CNS tissue affected by an inflammatory process, is secreted and then induces (activates) a subpopulation of B cells, in a humoral immune response, to proliferate and differentiate into plasma cells which produce of anti-shed antigen antibody. Anti-shed antigen antibody can act indirectly and/or directly (via formation of complexes) to exacerbate the ongoing inflammatory process, thereby promoting progression of MS. The objects of the invention are also achieved by providing methods for

depleting B cells, one or more subpopulations of which may be involved in promotion of MS and/or a pro-MS immune response. In one embodiment, administered to an individual is a composition in an amount effective to deplete B cells that may be present infiltrating CNS tissue involved in an inflammatory process; and/or (b) circulating in body fluids, such as peripheral blood and CSF; in an amount effective to deplete B cells. In another embodiment, administered to an individual is a therapeutically effective amount of one or more agents for treating MS (see, e.g., Table 1) in combination or conjunction with the composition for depleting B cells. In these embodiments, the function of the compositions of the present invention is to cause B cell depletion and reduce the exacerbation of inflammation, wherein B cell depletion may include one or more of: blocking of B cell function; functional inactivation of B cells; cytolysis of B cells; inhibiting the proliferation of B cells; inhibiting the production of antibody or inhibiting differentiation of shed antigen-specific B cells; and to cause inactivation or cytolysis of B cells which have been primed or activated by shed antigen. The compositions contact and bind to one or more determinants on B cells and may result in (cause and/or enable) B cell depletion, thereby immunomodulating the immune system to inhibit the MS-promoting function of B cells involved in a pro-MS immune response. Inhibiting the exacerbation of inflammation by depleting B cells involved in a pro-MS immune response may also inhibit a process selected from the group consisting of further development of MS, progression of MS, relapse of MS, and a combination thereof.

The above and other objects, features, and advantages of the present invention will be apparent in the following Detailed Description of the Invention when read in conjunction with the accompanying drawings.

#### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a graph showing the effect of depletion on the number of CD19+ cells (B2 cells) of individuals over a treatment period with a composition in an amount effective to deplete B cells.

FIG. 2 is a graph showing the effect of depletion on the number of CD19+ sTn+ cells (B2 sTn+ cells) of individuals over a treatment period with a composition in an amount effective to deplete B cells.

FIG. 3 is a graph showing the effect of depletion on the number of CD19+ CD21+ sTn+ cells (sTn+ memory/mature B cells) of individuals over a treatment period with a composition in an amount effective to deplete B cells.

#### DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

##### Definitions

The terms "deplete" and "depletion" are used herein in reference to B cells, and for purposes of the specification and claims, to mean one or more of: blocking of B cell function; functional inactivation of B cells; cytolysis of B cells; inhibiting the proliferation of B cells; inhibiting the differentiation of B cells to plasma cells; causing a B cell dysfunction which results in a therapeutic benefit; inhibiting production of anti-shed antigen antibody; reduction in the number of B cells;

inactivation of B cells which have been primed or activated by shed antigen; blocking of one or more functions of B cells which have been primed or activated by shed antigen; cytolysis of B cells which have been primed or activated by shed antigen; and reduction in the number of B cells which have been primed or activated by shed antigen. B cell depletion may be a result of one or more mechanisms including, but not limited to, clonal inactivation, apoptosis, antibody-dependent cellular cytotoxicity, complement-mediated cytotoxicity, and a signal pathway mediated inactivation, dysfunction, or cell death.

The term "composition" is used herein, for purposes of the specification and claims, to mean a composition (a) comprised of at least one affinity ligand which selectively (preferentially) binds to at least one determinant present on nonmalignant B cells (e.g., mature B cells and memory B cells); and (b) whereupon when administered in an effect amount to deplete B cells, upon contact and binding to such B cells, directly or indirectly results in (causes and/or enables) B cell depletion, particularly of shed antigen-specific B cells that may be involved in one or more of a pro-MS immune response, and promotion of progression of MS. Treatment with the composition may result in a beneficial function. Such a beneficial function may include, but is not limited to, one or more of: reduction of the pro-MS immune response by one or more processes selected from the group consisting of inhibiting the proliferation of B cells which may be involved, or may be recruited to be involved, in a pro-MS immune response, inhibiting production of the anti-shed antigen antibody (e.g., by reducing the number of B cells that

can be induced to differentiate into anti-shed antigen antibody-secreting plasma cells), reducing the relative number (e.g., causing or enabling cytolysis) of B cells which have been primed or activated by shed antigen, and a combination thereof. By reducing a pro-MS immune response, the beneficial function may also comprise a reduction in (by inhibiting exacerbation of) the inflammatory process underlying clinical manifestations of MS. As an illustrative, but non-limiting, example, an anti-CD20 mAb, or an anti-Lym-1 mAb, or an anti-CD19 mAb, or an anti-CD21 mAb, may selectively bind to B cells (via CD20, Lym-1, CD19, and CD21, respectively) and facilitate or result in B cell depletion. A bi-specific antibody mAb, anti CD3-CD19 mAb, may bind to T cells (via CD3) and B cells (CD19) to mediate T cell-B cell interactions that may facilitate B cell depletion. Thus, in one embodiment, the present invention provides for the use of at least one affinity ligand in the manufacture of a pharmaceutical composition comprising a composition for a procedure for treating nonmalignant B cell involvement in one or more of a pro-MS immune response, and promotion of progression MS; wherein the at least one affinity ligand selectively contacts and binds to at least one determinant present on B cells selected from the group consisting of mature B cells and memory B cells, B1 cells, B cell subpopulations of altered amount in MS (see, e.g., Table 2), and a combination thereof; whereupon contact and binding to such B cells, the composition results in B cell depletion; and wherein the procedure comprises administering to an individual the composition in an amount effective to deplete B cells. Administering the composition to an individual may be by a mode which

includes, but is not limited to, introducing the composition by a means to access the individual's CNS tissue to be treated (e.g., regional or "site-directed" treatment), introducing the composition into peripheral blood, and a combination thereof. The composition may further comprise at least one additional component selected from the group consisting of one or more chemotherapeutic agents, an anti-inflammatory agent, a cytolytic agent, a pharmaceutically acceptable carrier, and a combination thereof (see, e.g., Table 1). In one embodiment, the additional component is administered as a separate (nonconjugated) component of the composition. In another embodiment, the additional component may be coupled to the affinity ligand; wherein the affinity ligand serves to selectively bind the B cells, thereby bringing the additional component in contact with or in functional proximity of B cells that may be involved in the promotion of progression of MS. A cytolytic agent is an agent that, by interacting directly with such B cells, causes B cell cytotoxicity. Such cytolytic agents may include, but are not limited to, a therapeutically effective amount of an agent selected from one or more of the group consisting of a toxin, a drug, an enzyme, a cytokine, a radionuclides, a photodynamic agent, and a molecule which induce apoptosis (e.g., Fas ligand). A toxin may be selected from a therapeutically effective amount of one or more of the group consisting of ricin A chain, mutant *Pseudomonas* exotoxins, diphtheria toxoid, streptonigrin, boamycin, saporin, gelonin, and pokeweed antiviral protein. A drug may include a therapeutically effective amount of a cytotoxic drug selected from one or more of the group consisting of



fludarabine, chlorambucil, danazol, daunorubicin, doxorubicin (e.g., in liposomes), cisplatin, bleomycin, melphalan, mitomycin-C, and methotrexate. Due to the sensitivity of B cells to radiation, radionuclides may include, but are not limited to, one or more radiometals such as yttrium which emits a high energy beta particle, and  $I^{125}$  that emits Auger electrons, that may be absorbed by adjacent B cells. A photodynamic agent may include a therapeutically effective amount of a porphyrin or their derivatives. In addition to the anti-inflammatory agents listed in Table 1, other anti-inflammatory agents are known to those skilled in the art to include COX-2 inhibitors (e.g., rofecoxib, and celecoxib), aspirin, ibuprofen, naproxen, and the like. The methods for coupling ligands or targeting molecules with therapeutic agents are well known to those skilled in the art (See, for example, conjugates as reviewed by Ghetie et al., 1994, *Pharmacol. Ther.* 63:209-34; U.S. Patent No. 5,789,554, the disclosure of which is herein incorporated by reference). Often such methods utilize one of several available heterobifunctional reagents used for coupling or linking molecules. Also, the additional component may comprise a pharmaceutically acceptable carriers for facilitating infusion into the bloodstream, CSF, or regional access to the CNS tissue affected by an inflammatory process. Pharmaceutically acceptable carriers are known to those skilled in the art to include buffered saline solutions, buffered carbohydrate solutions, liposomes (Phillips et al., 1994, *J. Immunother. Emphasis Tumor Immunol.* 15:185-93), sterile water, and the like.

The term "determinant" with reference to B cells, is used herein, for purposes of the specification and claims, to mean a molecule which is preferentially expressed by B cells, or one or more subpopulations thereof which include memory B cells and mature B cells, and one or more B cell subpopulations of altered amounts in MS (see, e.g., Table 2); wherein the molecule is involved in and responsible for selective binding to an affinity ligand having binding specificity and avidity for the determinant. Cell-associated determinants may include, but are not limited to, molecules, receptors, components, or surface immunoglobulin, present on the surface of the cell membrane. "Preferentially expressed" is used herein to mean that the cell-associated determinant is expressed on a substantial number (approximately 40% or greater) of the B cells, or of a subpopulation thereof, which are targeted by the composition. In a preferred embodiment, the determinant is primarily expressed on B cells, with little or no expression of the determinant (as relative to the number of cells expressing the determinant or to the level of expression as compared to B cells) by other subpopulations of immune cells (with the possible exception of dendritic cells; e.g., CD21) contained within a region to which the composition is intended to be targeted. In a preferred embodiment, the determinant is selected from the group consisting of CD19, CD20 (see, e.g., U.S. Patent No. 5,776,456, the disclosure of which is herein incorporated by reference), CD21, CD22 (see, e.g., LL2, U.S. Patent No. 5,789,554, the disclosure of which is herein incorporated by reference; Erickson et al., 1996, *Int. Immunol.* 8:1121-9), Lym-1 (see, e.g., U.S. Patent No. 5,789,554,

the disclosure of which is herein incorporated by reference), CDIM (see, e.g., U.S. Patent No. 5,593,676, the disclosure of which is herein incorporated by reference), sIg having binding specificity for shed antigen, and a combination thereof.

The term "B cells" is used herein, for purposes of the specification and claims, and in reference to treating a disease condition selected from the group consisting of MS and a pro-MS immune response, and a pro-MS immune response, to mean mammalian (and preferably human) nonmalignant B cells. As known to those skilled in the art, malignant B cells refers to cancer cells of B cell origin, such as B cell lymphomas, and B cell leukemias. Thus, the term "B cells", as used herein in reference to treating B cells and in treating the disease condition, specifically excludes B cell lymphomas, B cell leukemias, and cancer cells of B cell origin. In that regard, nonmalignant B cells are inclusive of one or more of memory B cells and mature B cells; and B cell subpopulations of altered amounts in MS (e.g., see Table 2) which are involved in one or more of a pro-MS immune response, and promotion of progression of MS, as will be more apparent from the following embodiments.

The term "affinity ligand" is used herein, for purposes of the specification and claims, to mean a molecule which has binding specificity and avidity for a determinant associated with B cells that may be present in the area of CNS tissue which is affected by a local inflammatory process (and which produces shed antigen), and/or that may be circulating in body fluids such as peripheral blood. In general, affinity ligands are known to those skilled in the art to include, but are not limited to, lec-

tins (or fragments or derivatives thereof which retain specific binding activity), monoclonal antibodies ("mAb", including chimeric or genetically modified monoclonal antibodies which may be preferable for administration to humans), peptides, and aptamers. The term "monoclonal antibody" is also used herein, for purposes of the specification and claims, to include immuno-reactive fragments or immunoreactive derivatives (e.g., peptides) derived from a mAb molecule, which retain all or a portion of the binding function of the whole mAb molecule. Such immunoreactive fragments or immunoreactive derivatives are known to those skilled in the art to include  $F(ab')_2$ , Fab', Fab, Fv, scFV, Fd', Fd, and the like. Methods for producing the various fragments from mAbs are well known in the art (see, e.g., Plückthum, 1992, *Immunol. Rev.* 130:152-188). For example,  $F(ab')_2$  can be produced by pepsin digestion of the monoclonal antibody, and Fab' may be produced by reducing the disulfide bridges of  $F(ab')_2$  fragments. Fab fragments can be produced by papain digestion of the monoclonal antibody, whereas Fv can be prepared according to methods described in U.S. Patent No. 4,642,334. Single chain derivatives can be produced as described in U.S. Patent No. 4,946,778. The construction of chimeric antibodies is now a straightforward procedure (Adair, 1992, *Immunological Reviews* 130: 5-40,) in which the chimeric antibody is made by joining the murine variable region to a human constant region. Additionally, "humanized" antibodies may be made by joining the hypervariable regions of the murine monoclonal antibody to a constant region and portions of variable region (light chain and heavy chain) sequences of human immunoglobulins using one of several tech-

niques known in the art (Adair, 1992, *supra*; Singer et al., 1993, *J. Immunol.* 150:2844-2857). Methods for making a chimeric non-human/human mAb in general, and a chimeric anti-CD20 mAb in particular, are described in detail in U.S. Patent No. 5,736,137. The chimeric anti-CD20 antibody described in U.S. Patent No. 5,736,137 has been reported to be therapeutically active on its own; e.g., does not require coupling to a toxin or radioisotope to induce cytolysis of targeted B cells. Likewise, chimeric anti-CD22 antibody has been previously described in U.S. Patent No. 5,789,554. Likewise, a cross-linking of a B cell by an anti-CDIM mAb has been reported to induce a cellular response ultimately resulting in cell death (U.S. Patent No. 5,593,676). In a preferred embodiment, affinity ligands may include, but are not limited to, a mAb having binding specificity for one of CD19, CD20, CD21, CD22, CDIM, or Lym-1. Aptamers can be made against B cell determinants using methods described in U.S. Patent No. 5,789,157 (the disclosure of which is herein incorporated by reference).

The term "pro-MS immune response" is used herein, for purposes of the specification and claims, to mean a humoral immune response induced against an epitope comprising a terminal alpha 2,6 linked sialic acid (e.g., comprising sialyl Tn or sTn which comprises a terminal sialic acid alpha 2,6 linked to GalNAc; or alternatively, to Gal) of a shed antigen (glyco-molecule), resulting in production of IgG antibody against the epitope ("anti- $\alpha$ (2,6)NeuAc Ab"), and complexes comprised of the shed antigen comprising the epitope complexed to anti- $\alpha$ (2,6)

NeuAc Ab; wherein the shed antigen is released or produced particularly in relation to CNS tissue damage characteristic of MS during the a chronic inflammatory disease process characteristic of inflammatory forms of MS (e.g., secondary progressive MS). In a preferred embodiment, the resultant complexes bind to and induce Fc receptor-expressing cells (e.g., one or more cell types selected from the group consisting of granulocytes, macrophages, microglia, activated mast cells, astrocytes, oligodendrocytes) which results in the release of inflammatory mediators (e.g., cytokines and/or tissue degradative enzymes) which may exacerbate the existing inflammatory process and thereby promote (contribute to) CNS tissue damage characteristic of MS (e.g., demyelination and plaques characteristic of MS). A similar immune response, a pro-tumor immune response, and it's ability to promote inflammation and tissue degradation has been described in co-pending U.S. application Serial No. 09/435,289 (the disclosure of which is herein incorporated by reference). In a preferred embodiment, the anti- $\alpha(2,6)$  NeuAc Ab is induced by a shed antigen comprising glycolipid; and in a more preferred embodiment, glycolipid selected from one or more of the alpha series of gangliosides (e.g., GD1 $\alpha$ , GT1 $\alpha$ , GQ1 $\alpha$ , derivatives thereof which contain one or more additional terminal sialic acids alpha 2,6 linked to GalNAc, and a combination thereof). Serological markers for a pro-MS immune response have been described in detail in co-pending U.S. applications Serial Nos. 60/151,999 and 60/207,577, the disclosures of which are herein incorporated by reference.

The term "individual" is used herein, for purposes of the specification and claims, to mean a mammal; and preferably a human. An individual who is at risk of developing, or has developed, a pro-MS immune response may include an individual having a form of MS (e.g., secondary progressive form, or relapsing, remitting form); or an individual who is in apparent remission of MS, but whom harbors cellular markers characteristic of a pro-MS immune response (see Table 2) and therefore inherently carries a risk of relapse or recurrence. The method and compositions according to the present invention are intended for use to deplete B cells localized in inflammatory infiltrates in the region of CNS tissue damaged or affected by an inflammatory process, and/or circulating in body fluids selected from the group consisting of peripheral blood, CSF, and a combination thereof, in individuals at risk for developing, or who have developed, a pro-MS immune response

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The present invention relates to a discovery that in a pro-MS immune response, a significant number of activated B cells (memory B cells and mature B cells) may be retained locally as cells which infiltrate CNS tissue damaged or affected by an inflammatory process, and/or may be cells circulating in body fluids selected from the group consisting of peripheral blood, CSF, and a combination thereof. According to one embodiment of a method for treating B cell involvement in promotion of progression MS (also described herein as a method for reducing a pro-MS immune response) according to the present invention, administered to an individual is a composition in an amount

effective to deplete B cells. The composition may be administered by a mode which facilitates infusion into an access which is regional to the CNS tissue damaged or affected by an inflammatory response (e.g., by a mode to facilitate delivery of the composition to demyelinating CNS tissue or plaques characteristic of MS), thereby delivering the composition in a site-directed manner. The composition may be administered by itself, or as part of a regimen of chemotherapeutic agents. In another embodiment of a method for reducing a pro-MS immune response according to the present invention, administered to an individual is the composition by a mode which facilitates infusion into peripheral blood (e.g., intravenously) and/or a vascular access (including lymphatics) of the individual's CNS tissue, wherein the composition is administered in an amount effective to deplete B cells. The composition may be administered by itself, or as part of a regimen of chemotherapeutic agents.

For purposes of the description, the methods and compositions of the present invention will be illustrated in the following examples.

#### EXAMPLE 1

This embodiment provides evidence of the B cell involvement in a disease condition selected from the group consisting of MS and a pro-MS immune response, and a pro-MS immune response. We have discovered that there may exist altered phenotype in one or more B cell subpopulations, wherein the phenotype is altered because the relative amounts of these one or more B cell subpopulations that differ in individuals having



disease condition selected from the group consisting of MS and a pro-MS immune response, as compared to those values in healthy controls or in individuals having inflammatory diseases other than MS. For detecting the alterations in the one or more B cell subpopulations in a clinical sample, mononuclear cells were isolated from the clinical sample using a density gradient medium and by density gradient centrifugation. Aliquots, each of approximately 1 million cells, were treated in one of several different ways.

#### Preferred staining combinations

##### Memory B cells and sTn+ memory B cells

In determining a lymphocyte subpopulation comprising memory B cells, an aliquot of cells was double-stained using anti-CD19 antibody (IgG1 mAb) labeled with Pe-Cy5 (phycoerythrin-Cy5), and an anti-CD21 antibody (IgG1 mAb) labeled with FITC (fluorescein isothiocyanate), wherein the final dilution of each mAb was 1:10. The mixture was incubated for 30 minutes in the dark at 4°C, and then the mixture was centrifuged at 1500 rpm for 5 minutes. The supernatant was removed and a wash solution (e.g., 150 µl of a physiologically acceptable solution) was used to suspend the cell pellet, and then the mixture was centrifuged (a wash step). The wash step may be repeated one or more times. The cell pellet from the final wash was then taken up in a physiologically acceptable solution in a sufficient volume for flow cytometric analysis (e.g., 200-250 µl). For detecting sTn+ memory B cells, an aliquot of cells was triple-stained wherein the cells were first mixed and incubated with anti-sTn antibody (IgG1 mAb), and then washed;

followed by mixing and incubating with a secondary rabbit anti-mouse IgG antibody labeled with Pe (phycoerythrin), and then washed; followed by a double-staining with anti-CD19 antibody labeled with Pe-Cy5, and an anti-CD21 antibody labeled with FITC, and then washed. Additionally, by gating on the appropriate parameters, a lymphocyte subpopulation comprising overall B cells (CD19+ cells) may be determined. By gating on the appropriate parameters, a lymphocyte subpopulation comprising sTn+ B cells (CD19+ sTn+ cells) may be determined.

#### B cells and sTn+ B cells

In determining a lymphocyte subpopulation comprising overall B cells, an aliquot of cells was double-stained using essentially the same protocol as summarized above, except that the antibodies mixed with the cells of the this aliquot were anti-CD19 antibody (IgG1 mAb) labeled with Pe-Cy5 (final dilution of each mAb was 1:10). Alternatively, for detecting sTn+ B cells, the cells were first mixed and incubated with anti-sTn antibody (IgG1 mAb), and then washed; followed by mixing and incubating with a secondary rabbit anti-mouse IgG antibody labeled with Pe, and then washed; followed by staining with anti-CD19 antibody labeled with Pe-Cy5, and then washed. This alternative staining protocol, with the appropriate gating, allows for determination of both overall B cells (CD19+ cells) and sTn+ B cells (CD19+ sTn+ cells).

#### sTn+ B1 cells

In determining a lymphocyte subpopulation comprising sTn+ B1 cells, an aliquot of cells was triple-stained, wherein the cells were first mixed and incubated with anti-sTn antibody (IgG1 mAb), and then washed; followed by mixing and incubating with a

secondary rabbit anti-mouse IgG antibody labeled with Pe, and then washed; followed by a double-staining with anti-CD19 antibody labeled with Pe-Cy5, and an anti-CD5 antibody labeled with FITC, and then washed. Staining and incubation times were similar to those described above. Additionally, by gating on the appropriate parameters, a lymphocyte subpopulation comprising overall B cells (CD19+ cells) may be determined. Also by gating on the appropriate parameters, overall B1 cells (CD19+ CD5+ cells) may be determined.

A number of commercially available flow cytometers can be used as the instrument on which is performed the method of the present invention. Desirably, the flow cytometer has a single laser source; and in a preferred embodiment, the single laser source is an argon laser tuned at 488 nanometers (nm). Additionally, the flow cytometer is operatively connected to appropriate operating software and data management systems. Using these methods, quantitated were the relative numbers of lymphocyte subpopulations comprising altered lymphocyte phenotype in clinical samples obtained from individuals having MS and/or a pro-MS immune response; and, as shown in Table 2, the results were compared to the relative numbers of the same types of lymphocyte subpopulations determined in clinical samples obtained from apparently healthy individuals ("Baseline control") and determined in clinical samples obtained from individuals having solid, nonlymphoid tumors and/or a pro-tumor immune response. In this illustration, the clinical samples comprised peripheral blood obtained by venipuncture into blood collection tubes, wherein peripheral blood mononuclear cells were isolated and then

analyzed; and the quantitations were performed using flow cytometric methods by the techniques disclosed herein. Light scatter was used as a parameter to gate on primarily lymphocytes based on the size, granularity and cell volume of lymphocytes. In addition to gating for light scatter, each sample undergoing the staining process was gated for respective fluorescence emission(s). For example, when memory B cells were quantitated by double-staining (e.g., for CD19 and CD21), the analysis was gated on those cells positive for CD19 expression as determined by detection of Pe-Cy5 fluorescent emission. CD19 positive lymphocytes were considered to represent the relative overall population of B cells in the clinical sample analyzed. CD19 positive lymphocytes were then gated for those cells also positive for CD21 expression as determined by detection of FITC fluorescent emission. Lymphocytes double stained for both CD19 and CD21 were considered to represent memory B cells. Such CD19+ CD21+ B cells were then expressed as a percentage of overall B cells by using the formula:

(the relative number of CD19+ CD21+ cells/ relative number of CD19+ cells) X 100.

A similar procedure was also used to detect and quantitate a sTn+ B cell subpopulation (e.g., CD19+ sTn+ B cells). Such CD19+ sTn+ B cells were expressed as a percentage of overall B cells by using the formula:

(the relative number of CD19+ sTn+ cells/ relative number of CD19+ cells) X 100.

A similar procedure was also used to detect and quantitate a sTn+ memory B cell subpopulation (e.g., CD19+ CD21+ sTn+ B cells). Such CD19+ CD21+ sTn+ B cells were expressed as a percentage of memory B cells by using the formula:

(the relative number of CD19+ CD21+ sTn+ cells/ relative number of CD19+ CD21+ cells) X 100.

A similar procedure was also used to detect and quantitate a B1 cell subpopulation (e.g., CD19+ CD5+ B cells). Such CD19+ CD5+ B cells were expressed as a percentage of overall B cells by using the formula:

(the relative number of CD19+ CD5+ cells/ relative number of CD19+ cells) X 100.

A similar procedure was also used to detect and quantitate an sTn+ B1 cell subpopulation (e.g., CD19+ CD5+ sTn+ cells). Such CD19+ CD5+ sTn+ B cells were expressed as a percentage of overall B1 cells by using the formula:

(the relative number of CD19+ CD5+ sTn+ cells/ relative number of CD19+ CD5+ cells) X 100.

In Table 2, for most B cell subpopulation determinations from apparently healthy individuals (Table 2, "Baseline control") and for most determinations from individuals having solid, non-lymphoid tumors and/or a pro-tumor immune response (Table 2, "Tumor/PTIR"), the relative number is expressed as the mean  $\pm$  the standard error of the mean. SPMS/PMSIR represents lymphocyte

subpopulation determinations from an individual with secondary progressive MS (SPMS) and with evidences of a pro-MS immune response (PMSIR) as determined by immunoassays for plasma (anti-shed antigen antibody, shed antigen, and complexes of anti-shed antigen antibody + shed antigen).

Table 2

lymphocyte subpopulation	Baseline control	Tumor/PTIR	SPMS/PMSIR	RRMS/PMSIR
CD19+	12.7 $\pm$ 3.6	2.7 $\pm$ 0.5	5.9	13.3
CD19+ sTn+	1.3 $\pm$ 0.4	5.9 $\pm$ 1.5	18.2	1.6
CD19+ CD21+	1.1 $\pm$ 0.7	48.8 $\pm$ 5.3	0 .7	3.3
CD19+CD21+sTn+	29.7 $\pm$ 5.0	16.1 $\pm$ 3.7	42.9	26.0
CD19+ CD5+	1.8	2.4	2.2	-
CD19+CD5+sTn+	0.3	29.0	17.3	-

Table 2 illustrates that one or more B cell subpopulations are altered in relative amount in an individual having MS and a pro-MS immune response. Note that there is a significant decrease in the relative number of overall B cells (CD19+ cells) in an individual having secondary progressive MS and pro-MS immune response (SPMS/ PMSIR) as compared to values in apparently healthy individuals (Baseline control). There is a significant increase in the relative number of sTn+ B cells (CD19+ sTn+ cells) in an individual having SPMS/PMSIR as compared to values for the baseline control. While no significant difference was noted in an overall memory B cell population (CD19+ CD21+ cells), there is a significant increase in the relative number of sTn+ memory B cells (CD19+ CD21+ sTn+ cells) in an individual having SPMS/PMSIR as compared to values for the

baseline control. While no significant difference was noted in an overall memory B1 cell population (CD19+ CD5+ cells), there is a significant increase in the relative number of sTn+ B1 cells (CD19+ CD5+ sTn+ cells) in an individual having SPMS/PMSIR as compared to values in the baseline control. Such alterations in the relative amounts of one or more B cell subpopulations was not observed in the less inflammatory form of MS comprising primary progressive MS.

## EXAMPLE 2

We have discovered that another indication of a pro-MS immune response is the presence in peripheral blood (e.g., as detected in serum or plasma), and additional evidence of B cell involvement in the promotion of MS, of complexes comprising shed antigen complexed to anti-shed antigen antibody. As an illustration, an enzyme-linked immunosorbent assay (ELISA) was performed. A polystyrene microtiter plate was coated with a film comprising an affinity ligand having binding specificity for a terminal 2,6 linked sialic acid. In this illustration, a mouse monoclonal antibody having such binding specificity was used to coat the wells at a concentration of 10 µg/ml. After blocking the wells with a blocking solution, the wells coated with the affinity ligand were then used to detect the presence of immune complexes in human plasma samples (diluted 1:50 in buffer) from:

- (1) individuals with no apparent disease or pathology ("Control");
- (2) individuals having solid, nonlymphoid tumor ("Cancer"); and

(3) individuals having RRMS or SPMS, and a pro-MS immune response ("MS/PMSIR").

The detector molecule comprised anti-human IgG labeled with peroxidase for complexed antibody of the IgG class, and anti-human IgM labeled with peroxidase for detecting complexed antibody of the IgM class. At the appropriate point in the immunoassay procedure, substrate comprising tetramethyl benzidine was added to determine peroxidase activity. The presence of immune complexes was detected by the yellow color (after addition of the sulfuric acid containing stopping reagent), and the color was quantitated at 450 nanometers using a plate reading spectrophotometer. Table 3 illustrates the amount of complexes (circulating complexes with complexed IgG, "CC IgG"; circulating complexes with complexed IgM, "CC IgM") detected as measured by absorbance at 450 nm and expressed as the mean absorbance  $\pm$  standard error of the mean (Mean  $\pm$  s.e.m.).

Table 3

plasma source	CC IgM Mean $\pm$ s.e.m.	CC IgG Mean $\pm$ s.e.m.
Control	0.37 $\pm$ 0.05	0.41 $\pm$ 0.04
Cancer	0.80 $\pm$ 0.33	0.68 $\pm$ 0.12
MS/PMSIR	0.11 $\pm$ 0.05	1.44 $\pm$ 0.19

As shown in Table 3, individuals having RRMS and a pro-MS immune response or SPMS and a pro-MS immune response ("MS/PMSIR") have a significant increase in complexes comprised of shed antigen complexed to anti-shed antigen IgG antibody. Such a high concentration of this type of immune complex is an indication of



a pro-MS immune response; and of B cell involvement in promotion of MS, wherein such complexes can activate immune effector cells to promote or exacerbate an inflammatory process and tissue degradation.

### EXAMPLE 3

The findings in an individual of one or more B cell subpopulations which are altered in individuals having a pro-MS immune response are indicative of the involvement of one or more subpopulation of B cells in promotion of progression of MS. In such an individual, the B cells may be found infiltrating CNS tissue undergoing demyelination due to an immune reaction and/or an inflammatory response, and/or may be found in body fluids selected from the group consisting of peripheral blood, CSF, and a combination thereof. In method of reducing a pro-MS immune response according to the present invention, administered to an individual is a composition in an amount effective for depleting B cells present in one or more of (a) CNS tissue undergoing demyelination due to an immune reaction and/or an inflammatory response; (b) in body fluids such as peripheral blood. The administered composition subsequently comes in contact with such B cells, and may result in one or more therapeutic functions which may include, but is not limited to, B cell depletion; inhibition of proliferation of B cells involved in a pro-MS immune response; inhibition of activation of B cells by shed antigen; inhibition of differentiation of shed antigen-activated B cells into plasma cells capable of secreting anti-shed antigen antibody; causing or enabling inactivation and/or cytolysis of

memory B cells which may include a subpopulation of memory B cells that have been primed or activated by shed antigen; and causing or enabling inactivation and/or cytolysis of the one or more B cell subpopulations found in an altered amount (see, e.g., Table 2). In another embodiment, a method for inhibiting the chronic inflammatory process associated with MS and a pro-MS immune response comprises administering the composition in an effective amount to deplete B cells, wherein the composition contacts and binds to one or more determinants on B cells to cause or enable B cell depletion, thereby inhibiting the involvement of B cells in contributing to the chronic inflammatory process which promotes a progression of MS. The nerves of the central nervous system which undergo demyelination in MS are often proximal to one or more accesses (e.g., blood or lymphatic or spaces (subarachnoid space)) that feed or extend through the CNS tissue. Thus, to deplete B cells that infiltrate CNS tissues, administered is the composition in one or more accesses in a site-directed method of delivery, wherein the composition is administered in an amount effective to deplete B cells. In one example, it is known that some drugs (e.g., baclofen) are administered intrathecally by bolus injection or by infusions administered by a programmable pump implanted in the lumbar subarachnoid space. Using standard methods for site-directed delivery, as known to those skilled in the art, the composition may be infused into one or more accesses that directly supplies CNS tissue undergoing demyelination ("affected CNS tissue"). The delivered composition may then concentrate primarily in the affected CNS tissue; and more specifically to

the B cells present, by the binding between the affinity ligand and its target determinant on the B cells. Site-directed delivery of the composition does not rule out that a portion of the composition may gain access to peripheral blood, and any benefit associated therewith. Likewise, infusion intravenously may result in the composition reaching B cells infiltrating the affected CNS tissue. This is due, in part, to the increased blood-brain barrier permeability that is often observed in individuals having early or late stage development of a chronic progressive form of MS, and as particularly localized in demyelinated plaques. The composition may be administered by itself, or in conjunction with as additional component as previously described herein in more detail. Also, the composition may further comprise a pharmaceutically acceptable carrier for facilitating infusion.

#### **EXAMPLE 4**

In this example, illustrated is an embodiment of reducing a pro-MS immune response according to the present invention, wherein the composition is administered parenterally in an amount effective to deplete B cells. The term "parenterally" includes administration intravenously, intramuscularly, subcutaneously, rectally, vaginally, or intraperitoneally. The most preferred parenteral administration is intravenous administration. As will be apparent to one skilled in the art, an amount effective to deplete B cells, and whether repeated dosages may be warranted, will depend on such factors as the stage of development of the inflammatory process of MS and/or a pro-MS

immune response, overall health of the individual to be treated, other treatments which the individual may be undergoing, and pharmacokinetic properties of the type of the composition being used. For example, for a composition comprising a chimeric anti-CD20 mAb, an effective dose may range from about 0.01 mg/kg of body weight to about 40 mg/kg of body weight. However, as apparent to one skilled in the art, and in the discretion of a medical practitioner, a treatment may be warranted with a dosage falling inside or outside of this illustrative range. In an illustration of parenteral administration, a composition comprising a chimeric anti-CD20 mAb may be administered by intravenous infusion in an effective amount to deplete B cells. The dosage or regimen (multiple doses) may be determined by monitoring one or more of changes in the status of MS disease, and measurable parameters of efficacy of the treatment. Various measurable parameters may include, but are not limited to, the counts or relative numbers of peripheral blood B lymphocyte subpopulations (e.g., one or more sTn+ B cell subpopulations, and other B cell subpopulations; see, e.g., Table 2), the CD4/CD8 ratio of peripheral blood lymphocytes, serum or plasma concentration of complexes comprising shed antigen complexed to anti-shed antigen IgG antibody, and imaging of the affected CNS tissue before and after treatment.

To illustrate the method of depleting B cells according to the present invention, administered to individuals having altered B cell subpopulations (see Table 2) was a composition comprising a chimeric anti-CD20 mAb administered by intravenous infusion in an amount effective to deplete B cells. Each

individual received 200 mg of the composition, and then received two additional infusions approximately every four weeks. Thus, three complete infusions were administered: the initial treatment (week 0), one at week 4, and one at week 8. Generally, the first infusion was at an initial rate of about 50 mg/hour; however, additional infusions were administered at a faster rate which was dependent on how the individual tolerated infusion, the treating physician's judgment, drug manufacturer's instructions, and lack of side effects. As shown in FIGs 1-3, treatment according to the present invention of 3 individuals (■,▲,▼ )with the composition resulted in a depletion in overall B cells (CD19+ cells; FIG. 1), and also normalization of the amounts of B cells comprising B cell subpopulations altered in amount (FIG. 2, CD19+ sTn+ cells; FIG. 3, CD19+ CD21+ sTn+ cells) to within a range observed in apparently healthy individuals. Such an observed effect of the composition on depletion of B cells have resulted in a clinical benefit to treated individuals.

The foregoing description of the specific embodiments of the present invention have been described in detail for purposes of illustration. In view of the descriptions and illustrations, others skilled in the art can, by applying, current knowledge, readily modify and/or adapt the present invention for various applications without departing from the basic concept, and therefore such modifications and/or adaptations are intended to be within the meaning and scope of the appended claims.

What is claimed is:

1. A method for reducing a pro-MS immune response in an individual, the method comprising administering to an individual a composition, wherein the composition comprises an affinity ligand which selectively binds to a B cell determinant, wherein the B cells targeted by the method and by the composition are nonmalignant B cells, and wherein the composition is administered in an amount effective to deplete B cells.
2. The method according to claim 1, wherein the nonmalignant B cells are B cells selected from the group consisting of mature B cells and memory B cells, CD19+sTn+ B cells, CD19+CD21+sTn+ B cells, CD19+CD5+sTn+ B cells, and a combination thereof.
3. The method according to claim 1, wherein the composition comprises a chimeric anti-CD20 monoclonal antibody.
4. The method according to claim 1, wherein the composition is administered by a mode selected from the group consisting of parenterally, and in a site-directed method in which the composition is delivered into an access that directly supplies central nervous tissue undergoing demyelination.
5. The method according to claim 1, wherein the composition further comprises an additional component selected from the group consisting of one or more chemotherapeutic agents, an anti-inflammatory agent, a cytolytic agent, a pharmaceutically acceptable carrier, and a combination thereof.
6. A site-directed method for reducing a for reducing a pro-MS immune response in an individual, the method comprising administering to an individual a composition, wherein the composition comprises an affinity ligand which selectively binds

to a B cell determinant, wherein the B cells targeted by the method and by the composition are nonmalignant B cells, which the composition is delivered into an access that directly supplies central nervous tissue undergoing demyelination, and wherein the composition is administered in an amount effective to deplete B cells.

7. The method according to claim 6, wherein the nonmalignant B cells are B cells selected from the group consisting of mature B cells and memory B cells, CD19+sTn+ B cells, CD19+CD21+sTn+ B cells, CD19+CD5+sTn+ B cells, and a combination thereof.

8. The method according to claim 6, wherein the composition comprises a chimeric anti-CD20 monoclonal antibody.

9. The method according to claim 6, wherein the composition further comprises an additional component selected from the group consisting of one or more chemotherapeutic agents, an anti-inflammatory agent, a cytolytic agent, a pharmaceutically acceptable carrier, and a combination thereof.

10. A method for reducing a pro-MS immune response in an individual, the method comprising administering to an individual a composition, wherein the composition comprises an affinity ligand which selectively binds to a B cell determinant, wherein the B cells targeted by the method and by the composition are nonmalignant B cells, wherein the composition is administered intravenously, and wherein the composition is administered in an amount effective to deplete B cells.

11. The method according to claim 10, wherein the nonmalignant B cells are B cells selected from the group consisting of mature B

cells and memory B cells, CD19+sTn+ B cells, CD19+CD21+sTn+ B cells, CD19+CD5+sTn+ B cells, and a combination thereof.

12. The method according to claim 10, wherein the composition comprises a chimeric anti-CD20 monoclonal antibody.

13. The method according to claim 10, wherein the composition further comprises an additional component selected from the group consisting of one or more chemotherapeutic agents, an anti-inflammatory agent, a cytolytic agent, a pharmaceutically acceptable carrier, and a combination thereof.

14. A method for treating an individual having a disease condition selected from the group consisting of multiple sclerosis (MS) and a pro-MS immune response, and a pro-MS immune response, wherein the composition comprises an affinity ligand which selectively binds to a B cell determinant, wherein the B cells targeted by the method and by the composition are nonmalignant B cells, and wherein the composition is administered in an amount to effect a reduction in inflammation underlying clinical manifestations of MS.

15. The method according to claim 14, wherein the nonmalignant B cells are B cells selected from the group consisting of mature B cells and memory B cells, CD19+sTn+ B cells, CD19+CD21+sTn+ B cells, CD19+CD5+sTn+ B cells, and a combination thereof.

16. The method according to claim 14, wherein the composition comprises a chimeric anti-CD20 monoclonal antibody.

17. The method according to claim 14, wherein the composition further comprises an additional component selected from the group consisting of one or more chemotherapeutic agents, an anti-



inflammatory agent, a cytolytic agent, a pharmaceutically acceptable carrier, and a combination thereof.

# **ABSTRACT**

Methods are provided for reducing a pro-MS immune response by administering to an individual a composition comprising an affinity ligand which binds to B cell determinant, and which is administered in an amount effective to reduce B cells.

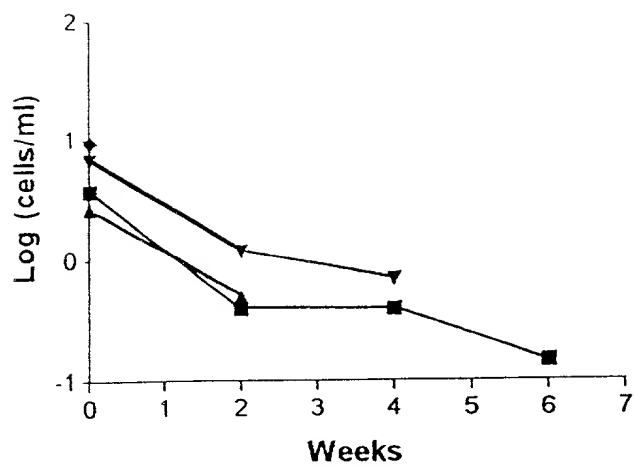


Fig. 1

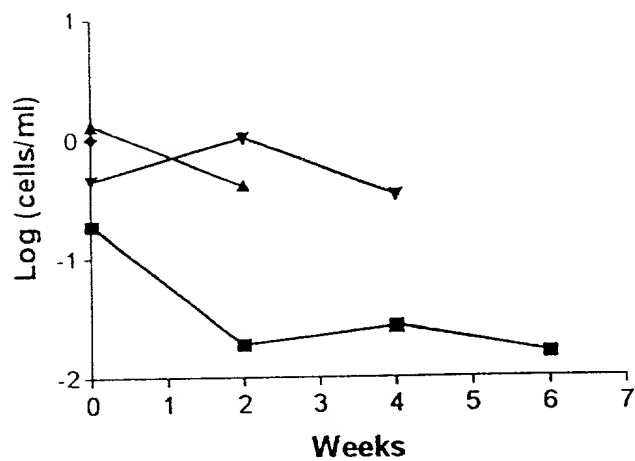


Fig. 2

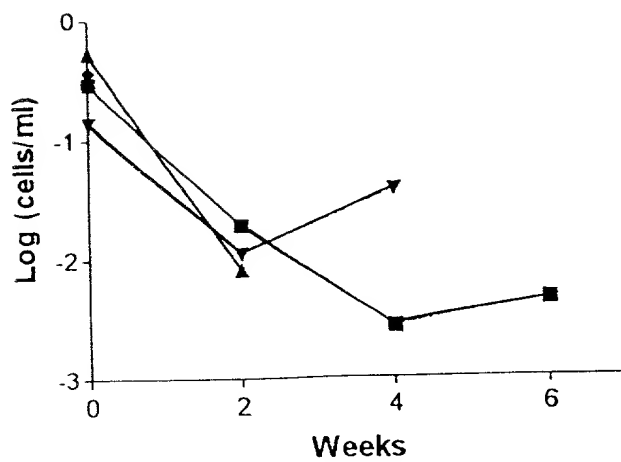


Fig. 3

Docket No.  
B-29

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**Methods and compositions for immunotherapy of B cell involvement in promotion of a disease condition comprising multiple sclerosis**

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as United States Application No. or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Not Claimed
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/150256</u>	<u>23 August 1999</u>
(Application Serial No.)	(Filing Date)
<u>60/152,498</u>	<u>02 September 1999</u>
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

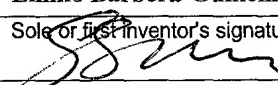
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

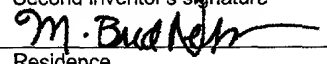
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

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